

	ATTY DOCKET NO. 9448.17205-CIP DIV 9	SERIAL NO. 10/658,089
	APPLICANT Reiley	
	FILING DATE 9 September 2003	GROUP 3732

U.S. PATENT DOCUMENTS

Examiner Initial	DOCUMENT NUMBER	Date	Name	Class	Subclass	Filing Date (If Appropriate)

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	Class	Subclass	Translation Yes No
DI		WO 96/00049	01/1996	PCT (English abstract)			

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER /David Isabella/	DATE CONSIDERED 08/20/2006
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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/658,089
				Filing Date	September 9, 2003
				First Named Inventor	Mark A. Reiley
				Art Unit	3738
Examiner Name	David J. Isabella				
Sheet	1	of	1	Attorney Docket Number	29914-701.409

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
DI		US-6,712,818	03-30-2004	Michelson	
		US-6,648,891	11-18-2003	Kim	
		US-6,638,281	10-28-2003	Gorek	
		US-6,632,226	10-14-2003	Chan	
		US-6,361,506	03-26-2002	Saenger et al.	
		US-6,302,890	10-16-2001	Leone, Jr.	
		US-6,193,758	02-27-2001	Huebner	
		US-6,193,724	02-27-2001	Chan	
		US-6,120,510	09-19-2000	Albrektsson et al.	
		US-6,053,917	04-25-2000	Sherman et al.	
		US-5,885,286	03-23-1999	Sherman et al.	
		US-5,700,268	12-23-1997	Bertin	
		US-5,678,317	10-21-1997	Stefanakos	
		US-5,329,933	07-19-1994	Graf	
		US-5,314,429	05-24-1994	Goble	
		US-5,303,480	04-19-1994	Chek	
		US-5,070,623	12-10-1991	Barnes	
		US-4,987,904	01-29-1991	Wilson	
		US-4,710,075	12-1-1987	Davison	
		US-4,271,836	06-09-1981	Bacal et al.	
		US-4,123,848	11-07-1978	Emmerich et al.	
		US-2,959,861	11-15-1960	Stromquist	
		US-2,930,133	03-29-1960	Thompson	
		US-1,308,451	07-01-1919	Schachat	
DI		US-2003/028250	02-06-2003	Reiley et al.	

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Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code ³ - Number ² - Kind Code ⁴ (if known)			
DI		WO 2004/103227	12-02-2004	Archus Orthopedics, Inc.	

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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
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				Art Unit	3738
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Sheet	1	Of	10	Attorney Docket Number	29914-701.409

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DI	143.	US 2002/0013585 A1	01-31-2002	Gourmay et al.	
	144.	US 2002/0013588 A1	01-31-2002	Landry et al.	
	145.	US 2002/0042613 A1	04-11-2002	Mata	
	146.	US 2002/0049446 A1	04-25-2002	Harkey, III et al.	
	147.	US 2002/0065557 A1	05-30-2002	Goble et al.	
	148.	US 2002/0082601 A1	06-27-2002	Toyoma et al.	
	149.	US 2002/0120272 A1	08-29-2002	Yuan et al.	
	150.	US 2002/0123806 A1	09-05-2002	Reiley	
	151.	US 2003/0004572 A1	01-02-2003	Goble et al.	
	152.	US 2003/0040797 A1	02-27-2003	Fallin et al.	
	153.	US 2003/0125740 A1	07-03-2003	Khanna	
	154.	US 2003/0181914 A1	09-25-2003	Johnson et al.	
	155.	US 2003/0191532 A1	10-09-2003	Goble et al.	
	156.	US 2003/0204259 A1	10-30-2003	Goble et al.	
	157.	US 2004/0006391 A1	01-08-2004	Reiley	
	158.	US 2004/0049272 A1	03-11-2004	Reiley	
	159.	US 2004/0049273 A1	03-11-2004	Reiley	
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	161.	US 2004/0049276 A1	03-11-2004	Reiley	
	162.	US 2004/0049277 A1	03-11-2004	Reiley	
	163.	US 2004/0049278 A1	03-11-2004	Reiley	
	164.	US 2004/0049281 A1	03-11-2004	Reiley	
	165.	US 2004/0111154 A1	06-10-2004	Reiley	
DI	166.	US 2004/0230201 A1	11-18-2004	Yuan et al.	

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DI	167.	US 2004/0230304 A1	11-18-2004	Yuan et al.	
	168.	US 2005/0010291 A1	01-13-2005	Stinson et al.	
	169.	US 2005/0015146 A1	01-20-2005	Louis et al.	
	170.	US 2005/0027361 A1	02-03-2005	Reiley	
	171.	US 2005/0033434 A1	02-10-2005	Berry	
	172.	US 2005/0043799 A1	02-24-2005	Reiley	
	173.	US 2005/0055096 A1	03-10-2005	Serhan et al.	
	174.	US 2005/0080428 A1	04-14-2005	White	
	175.	US 2005/0085912 A1	04-21-2005	Amin et al.	
	176.	US 2005/0102028 A1	05-12-2005	Amin et al.	
	177.	US 2005/0119748 A1	06-02-2005	Reiley et al.	
	178.	US 2005/0131406 A1	06-16-2005	Reiley et al.	
	179.	US 2005/0137705 A1	06-23-2005	Reiley	
	180.	US 2005/0137706 A1	06-23-2005	Reiley	
	181.	US 2005/0143818 A1	06-30-2005	Yuan et al.	
	182.	US 2005/0149190 A1	07-07-2005	Reiley	
	183.	US 2005/0177240 A1	08-11-2005	Blain	
	184.	US 2005/0187560 A1	08-25-2005	Dietzel et al.	
	185.	US 2005/0192589 A1	09-01-2005	Raymond et al.	
	186.	US 2005/0234552 A1	10-20-2005	Reiley	
	187.	US 2005/0235508 A1	10-27-2005	Augostino et al.	
	188.	US 2005/0240264 A1	10-27-2005	Tokish, JR. et al.	
	189.	US 2005/0240265 A1	10-27-2005	Kuiper et al.	
DI	190.	US 2005/0240266 A1	10-27-2005	Kuiper et al.	

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DI	191.	US 2005/0251256 A1	11-10-2005	Reiley	
	192.	US 2005/0261770 A1	11-24-2005	Kuiper et al.	
	193.	US 2005/0267579 A1	12-01-2005	Reiley et al.	
	194.	US 2005/0283238 A1	12-22-2005	Reiley	
	195.	US 2006/0009847 A1	01-12-2006	Reiley	
	196.	US 2006/0009848 A1	01-12-2006	Reiley	
	197.	US 2006/0009849 A1	01-12-2006	Reiley	
	198.	US 2006/0041211 A1	02-23-2006	Hawkinson	
	199.	US 2006/0041311 A1	02-23-2006	McLeer	
	200.	US 2006/0052785 A1	02-09-2006	Augostino et al.	
	201.	US 2006/0058791 A1	03-16-2006	Broman et al.	
	202.	US 2006/0079895 A1	04-13-2006	McLeer	
	203.	US 2006/0085072 A1	04-20-2006	Funk et al.	
	204.	US 2006/0085075 A1	04-20-2006	McLeer	
	205.	US 2006/0100707 A1	05-11-2006	Stinson et al.	
	206.	US 2006/0100709 A1	05-11-2006	Reiley et al.	
	207.	US 3,596,656	08-03-1971	Kaute	
	208.	US 4,040,130	08-09-1977	Laure	
	209.	US 4,156,296	05-29-1979	Johnson et al.	
	210.	US 4,210,317	07-01-1980	Spann et al.	
	211.	US 4,231,121	11-04-1980	Lewis	
	212.	US 4,394,370	07-19-1983	Jefferies	
	213.	US 4,472,840	09-25-1984	Jefferies	
DI	214.	US 4,611,581	09-16-1986	Steffee	

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DI	215.	US 4,805,602	02-21-1989	Puno et al.	
	216.	US 4,955,916	09-11-1990	Carignan et al.	
	217.	US 5,000,165	03-19-1991	Watanabe	
	218.	US 5,019,081	05-28-1991	Watanabe	
	219.	US 5,062,845	11-05-1991	Kuslich et al.	
	220.	US 5,108,399	04-28-1992	Eitenmuller et al.	
	221.	US 5,129,900	07-14-1992	Asher et al.	
	222.	US 5,284,655	02-08-1994	Bogdanský et al.	
	223.	US 5,312,409	05-17-1994	McLaughlin et al.	
	224.	US 5,314,476	05-24-1994	Prewett et al.	
	225.	US 5,314,486	05-24-1994	Zang et al.	
	226.	US 5,350,380	09-27-1994	Goble et al.	
	227.	US 5,405,390	04-11-1995	O'Leary et al.	
	228.	US 5,458,641	10-17-1995	Ramirez Jimenez	
	229.	US 5,474,555	12-12-1995	Puno et al.	
	230.	US 5,510,396	04-23-1996	Prewett et al.	
	231.	US 5,569,247	10-29-1996	Morrison	
	232.	US 5,575,792	11-19-1996	Errico et al.	
	233.	US 5,587,695	12-24-1996	Warmerdam	
	234.	US 5,609,641	03-11-1997	Johnson et al.	
	235.	US 5,643,263	07-01-1997	Simonson	
	236.	US 5,649,930	07-22-1997	Kertzner	
	237.	US 5,658,338	08-19-1997	Tullos et al.	
DI	238.	US 5,662,651	09-02-1997	Tornier et al.	

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DI	239.	US 5,683,391	11-04-1997	Boyd	
	240.	US 5,683,392	11-04-1997	Richelsoph et al.	
	241.	US 5,688,274	11-18-1997	Errico et al.	
	242.	US 5,690,630	11-25-1997	Errico et al.	
	243.	US 5,704,941	01-06-1998	Jacober et al.	
	244.	US 5,725,527	03-10-1998	Biedermann et al.	
	245.	US 5,738,585	04-14-1998	Hoyt, III et al.	
	246.	US 5,741,255	04-21-1998	Krag et al.	
	247.	US 5,766,253	06-16-1998	Brosnahan, III	
	248.	US 5,782,833	07-21-1998	Haider	
	249.	US 5,797,911	08-25-1998	Sherman et al.	
	250.	US 5,800,433	09-01-1998	Benzel et al.	
	251.	US 5,827,289	10-27-1998	Reiley et al.	
	252.	US 5,863,293	01-26-1999	Richelsoph	
	253.	US 5,866,113	02-02-1999	Hoensbroek et al.	
	254.	US 5,879,350	03-09-1999	Sherman et al.	
	255.	US 5,885,285	03-23-1999	Simonson	
	256.	US 5,891,145	04-06-1999	Morrison et al.	
	257.	US 5,947,893	09-07-1999	Agrawal et al.	
	258.	US 5,964,760	10-12-1999	Richelsoph	
	259.	US 6,010,503	01-04-2000	Richelsoph et al.	
	260.	US 6,019,759	02-01-2000	Rogozinski	
	261.	US 6,022,350	02-08-2000	Ganem	
DI	262.	US 6,074,391	06-13-2000	Metz-Stavenhagen et al.	

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				Filing Date	September 9, 2003
				First Named Inventor	Mark A. Reiley
				Art Unit	3738
				Examiner Name	David J. Isabella
Sheet	6	Of	10	Attorney Docket Number	29914-701.409

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
DI	263.	US 6,077,262	06-20-2000	Schlöpfer et al.	
	264.	US 6,086,590	07-11-2000	Margulies et al.	
	265.	US 6,090,111	07-18-2000	Nichols	
	266.	US 6,132,430	10-17-2000	Wagner	
	267.	US 6,190,388 B1	02-20-2001	Michelson et al.	
	268.	US 6,214,012 B1	04-10-2001	Karpman et al.	
	269.	US 6,231,575 B1	05-15-2001	Krag	
	270.	US 6,248,105 B1	06-19-2001	Schlöpfer et al.	
	271.	US 6,280,443 B1	08-28-2001	Gu et al.	
	272.	US 6,290,703 B1	09-18-2001	Ganem	
	273.	US 6,309,391 B1	10-30-2001	Crandall et al.	
	274.	US 6,340,361 B1	01-22-2002	Kraus et al.	
	275.	US 6,340,477 B1	01-22-2002	Anderson	
	276.	US 6,342,054 B1	01-29-2002	Mata	
	277.	US 6,368,320 B1	04-09-2002	Le Couedic et al.	
	278.	US 6,451,021 B1	09-17-2002	Ralph et al.	
	279.	US 6,471,705 B1	10-29-2002	Biedermann et al.	
	280.	US 6,514,253 B1	02-04-2003	Yao	
	281.	US 6,520,963 B1	02-18-2003	McKinley	
	282.	US 6,524,315 B1	02-25-2003	Selvitelli et al.	
	283.	US 6,540,749 B2	04-01-2003	Schäfer et al.	
	284.	US 6,547,790 B2	04-15-2003	Harkey, III et al.	
	285.	US 6,554,843 B1	04-29-2003	Ou	
DI	286.	US 6,565,565 B1	05-20-2003	Yuan et al.	

Examiner Signature	<u>/David Isabella/</u>	Date Considered	08/20/2006
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DI	287.	US 6,572,617 B1	06-03-2003	Senegas	
	288.	US 6,585,769 B1	07-01-2003	Muhanna et al.	
	289.	US 6,712,849 B2	03-30-2004	Re et al.	
	290.	US 6,749,361 B2	06-15-2004	Hermann et al.	
	291.	US 6,770,095 B2	08-03-2004	Grinberg et al.	
	292.	US 6,793,678 B2	09-21-2004	Hawkins	
	293.	US 6,811,567 B2	11-02-2004	Reiley	
	294.	US 6,902,580 B2	06-07-2005	Fallin et al.	
	295.	US 6,949,123	09-27-2005	Reiley	
DI	296.	US 6,974,478 B2	12-13-2005	Reiley	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ² - Number ³ - Kind Code ⁴ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁵
DI	297.	EP 1103226 (in German with English Abstract)	05-30-2001	Schaefer, Bernd		
	298.	EP 1205152 A1	05-15-2002	Lafitt, S.A.		
	299.	EP 1254639 A1	11-06-2002	Industrias Quirurgicas De Levante, S.L.		
	300.	FR 2726459 (in French with English Abstract)	05-10-1996	Desauge Jean Pierre		
	301.	FR 2749155 (in French with English Abstract)	12-05-1997	Albert P. Alby		
	302.	FR 2844180 (in French with English Abstract)	03-12-2004	Spinevision		
DI	303.	WO 01/06939 A1 (in French with English Abstract)	02-01-2001	Eurosurgical		

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DI	304.	WO 01/15638 A1	03-08-2001	Cauthen Research Group, Inc.		
	305.	WO 01/28442 A1 (in French with English Abstract)	04-26-2001	Spine Next		
	306.	WO 01/67972 A2	09-20-2001	SDGI Holdings, Inc.		
	307.	WO 02/00270 A1	01-03-2002	Victrex Manufacturing Ltd.		
	308.	WO 02/00275 A1	01-03-2002	Victrex Manufacturing Ltd.		
	309.	WO 02/02024 A1 (in Spanish with English Abstract)	01-10-2002	Surgival Co., S.A.		
	310.	WO 02/02158 A1	01-10-2002	Victrex Manufacturing Ltd.		
	311.	WO 02/43603 A1 (in French with English Abstract)	06-06-2002	Graf		
	312.	WO 02/071960 A1 (in French with English Abstract)	09-19-2002	Spine Next		
	313.	WO 02/34150 A2	05-02-2002	SDGI Holdings, Inc.		
	314.	WO 03/041618 A2 (in French with English Abstract)	05-22-2003	Louis et al.		
	315.	WO 03/075805 A1	09-18-2003	Chin		
	316.	WO 2004/103228 A1	12-02-2004	Archus Orthopedics, Inc.		
DI	317.	WO 2005/009301 A1	02-03-2005	Archus Orthopedics, Inc.		

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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite. No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
DI	318.	ABRAHAM, D.J. et al. Indications And Trends In Use In Cervical Spinal Fusions. <i>Orthop Clin North Am.</i> October 1998; 29(4):731-44.	
	319.	EICHHOLZ, K.M. et al. Complications of Revision Spinal Surgery, <i>Neurosurg Focus</i> ; (September 15, 2003), 15(3): pp. 1-4.	
	320.	FARFAN, H.F. Effects Of Torsion On The Intervertebral Joints. <i>The Canadian Journal of Surgery</i> July 1969; 12(3):336-41.	
	321.	FARFAN, H.F. The Pathological Anatomy Of Degenerative Spondylolisthesis. A Cadaver Study. <i>Spine.</i> 1980 Sep-Oct; 5(5):412-8.	
	322.	FARFAN, H.F. et al. The Relation Of Facet Orientation To Intervertebral Disc Failure. <i>The Canadian Journal of Surgery</i> April 1967; 10(2):179-85.	
	323.	FOSBINDER, R.A. et al. Essentials of Radiologic Science. The McGraw-Hill Companies; 2002.	
	324.	GUYER R. et al. Impliant: Motion Preservation through Total Posterior-Element Replacement. May 7, 2004 Presentation held at Hofburg Center, Vienna, Austria, (2 pages).	
	325.	KIRKALDY-WILLIS, W.H. et al. Pathology And Pathogenesis Of Lumbar Spondylosis And Stenosis. <i>Spine.</i> Dec. 1978; 3(4):319-28.	
	326.	KULKARNI, et al. Accelerated Spondylotic Changes Adjacent to the Fused Segment Following Central Cervical Corpectomy: Magnetic Resonance Imaging Study Evidence. <i>J. Neurosurg (Spine 1).</i> 2004; 100: 2-6.	
DI	327.	LAM, K. N., et al. X-ray Diagnosis: A Physician's Approach. Springer-Verlag; 1998.	

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DI	328.	LOMBARDI, J.S. et al. Treatment Of Degenerative Spondylolisthesis. <i>Spine</i> . 1985; 10(9): 821-7.		
	329.	MCMILLIN, C. R. et al. Artificial Spinal Discs with up to Five Years Follow-up. <i>20th Annual Meeting of the Society for Biomaterials</i> (Abstract) 1994; Page 89.		
	330.	POSNER, I. et al. A Biomechanical Analysis of the Clinical Stability of the Lumbar and Lumbosacral Spine. <i>Spine</i> . 1982; 7(4): 374-389.		
	331.	ROSENBERG, N.J. Degenerative Spondylolisthesis. Predisposing Factors. <i>The Journal of Bone and Joint Surgery</i> . 1975; 57-A(4): 467-74.		
	332.	SACHER, R., Impliant Brochure for presentation at MedTech Insight Conference (October 31, 2003) Boston, MA. pp. 93-94.		
	333.	SLONE, R. M. et al. Body CT: A Practical Approach. The McGraw-Hill Companies; 1999.		
	334.	STOUT, G. H. et al. X-Ray Structure Determination: A Practical Guide. 2nd Edition. John Wiley & Sons; 1989.		
	335.	SZPALSKI, M., et al. Spine Arthroplasty: A Historical Review. <i>Eur Spine J</i> . 2002; 11(Suppl. 2): S65-S84.		
	336.	UCR Pedicle Screw System from SeaSpine (information available at http://www.seaspine.com/UCR_Pedicle_Screw_System.html). Accessed December 5, 2005.		
DI	337.	Victrex of Lancashire, Great Britain. (information on Victrex available at http://www.matweb.com). Accessed December 5, 2005.		

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